

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

EVERETT DE'ANDRE ARNOLD, et al

Plaintiffs

v.

**BARBERS HILL INDEPENDENT
SCHOOL DISTRICT, et al**

Defendants

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CA: 4:20-cv-01802

DEFENDANTS' NOTICE OF APPEAL

Notice is hereby given that Defendants in the above entitled and numbered cause, hereby appeal to the United States Court of Appeals for the Fifth Circuit from the Memorandum Opinion and Order [Dkt. 98] and Order Granting Plaintiff K.B.'s Motion for Preliminary Injunction [Dkt. 99] entered in this action on August 17, 2020. A district court's order granting a preliminary injunction can be immediately appealed, and the United States Court of Appeals has jurisdiction over said district court's order pursuant to 28 U.S.C. §1292(a). 28 U.S.C. §1292(a)(1); *see also Byrum v. Landreth*, 566 F.3d 442, 449 (5th Cir. 2009) ("The denial [or granting] of the...preliminary injunction motion is an appealable interlocutory order.").

Respectfully submitted,

/s/ Thomas P. Brandt

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COUNSEL FOR DEFENDANTS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been delivered to all parties of record, in compliance with Rule 5 of the Federal Rules of Civil procedure, on September 15, 2020.

/s/ Thomas P. Brandt

THOMAS P. BRANDT